

CD1624

Application No. (if known): 09/762,067

Attorney Docket No.: 01946/100D864-US1

Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. in an envelope addressed to:

EU 382051866 - US

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

on	November 18, 2004
	Date

	<u>β</u> .ω. <u>Σ</u>	le
	Signature	
	B.W. CE	: E
	Typed or printed name of pers	on signing Certificate
Regi	stration Number, if applicable	Telephone Number
Note:	Each paper must have its own certificate of each submitted paper. Fee Transmittal for FY 2005 (1 page); Information Disclosure Statement (2 patient of References (PTO\SB08a\b form) 2 Patent Documents; 8 Publications; Postcard; and Check No	nges);) (1 page);

PTO/SB/17 (10-04)

Approved for use through 7/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

That the Paper of Comment of Information unless it displays a valid OMB control number.

No.	U.S. Fatent and Trademank Office, 3.5 DEFACTION OF COMMERCE OF THE Paper of Trademank Office, 3.5 DEFACTION OF COMMERCE OF THE Paper of Trademank Office, 3.5 DEFACTION OF COMMERCE OF THE Paper of Trademank Office, 3.5 DEFACTION OF THE Paper OFFICE OF THE Paper OFFICE OF THE Paper OFFICE OFFICE OF THE Paper OFFICE OFFIC											
FEE TRANSMITTAL				H	Complete if Known Application Number 09/762,067				_			
			'			Numbe	-	09/762,067				
for FY 2005			ŀ	Filing				August 3,	· · · · · · · · · · · · · · · · · · ·			
Effective 10/01/2004. Patent fees are subject to annual revision.			ŀ	First Named Inventor David Gschneidner et								
						Examiner Name Maury Audet		ıdet				
App	olicant claim	s small entity st	atus. See 3	37 CFR 1.27		Art Ur	it			1654		
TOTAL AN	IO TRUON	PAYMENT	(\$)	180.00		Attom	ey Doo	ket No).	01946/10	0D864-US1	
MET	HOD OF P	AYMENT (ch	eck all that e	apply)				FEE	CALCUL	ATION (co	ntinued)	
X Check	Credi	t Money Order	Othe	r None	3. A	DDITIO	ONAL	FEES				
	it Account:	0,000										
Deposit	TACOUIT.			_	Large	Entity	Small	Entity				
Account Number		04-0100	• • • • •		Fee Code	Fee (\$)	Fee Code	Fee (\$)	_	Fee Desc	ription	Fee Pald
Deposit Account	Dar	by & Darby	P.C.		1051	130	2051	65	Surcharge -	– late filing fe	e or oath	
Name		d to: (check all th			1052	50	2052	25	Surcharge - sheet.	- late provisio	onal filing fee or cover	
	fee(s) indicate	· _	ח ``` ר	overpayments	1053	130	1053	130		h specification	n	
X Charge	any additional	fee(s) or any und	erpayment of	fee(s)	1812	2,520	1812	2,520	For filing a re	equest for ex p	parte reexamination	
		d below, except f ed deposit accou		00	1804	920*	1804	920*	Requesting Examiner a		of SIR prior to	
					1805	1,840*	1805	1,840*	Requesting Examiner a	publication o	of SIR after	
	FEE	CALCULAT	ION	, ,	1251	110	2251	55	Extension fo	or reply within	n first month	
1. BASIC I		_			1252	430	2252	215	Extension for	or reply within	n second month	
Large Entity	Small Enti	-		Con Doid	1253	980	2253	490	Extension for	or reply within	n third month	
Code (\$)	Code (\$		cription	Fee Paid	1254	1,530	2254	765	Extension for	or reply within	n fourth month	
1001 790	2001 39	•	ng fee		1255	2,080	2255	1,040	Extension for	or reply within	n fifth month	
1002 350	2002 17	_	_		1401	340	2401	170	Notice of Ap	•		
1003 550 1004 790	2003 27		-		1402 1403	340 300	2402 2403	170	_	f in support o		
1004 790	2004 39		nal filing fee		1403	1,510	1451	150	•	oral hearing	lic use proceeding	
1000 100	•				1452	110	2452	55		evive – unav		
	SU	BTOTAL (1)	(\$)	0.00	1453	1,370	2453	685		evive - uninte		<u> </u>
2. EXTRA	CLAIM FE	ES FOR UTI	LITY AND	REISSUE	1501	1,370	2501	685	Utility issue	fee (or reiss	ue)	
		Extra Claims	Fee from below	Fee Pald	1502	490	2502	245	Design issu	e fee		
Total Claims			=		1503	660	2503	330	Plant issue	fee		
Independent Claims	·	'=x_	=		1460	130	1460	130	Petitions to	the Commiss	sioner	
Multiple Deper	ndent		=		1807	50	1807	50	Processing	fee under 37	CFR 1.17(q)	
Large Entity	Small Entit	<u> </u>			1806	180	1806	180	Submission	of Informatio	on Disclosure Stmt	180.00
Fee Fee Code (\$)	Fee Fee Code (\$)	Fe	e Descriptio	<u>n</u>	8021	40	8021	40			ssignment per of properties)	
1202 18	2202 9	Claims in exce			1809	790	2809	395		mission after	final rejection	
1201 88 1203 300	2201 44 2203 150	•			1810	790	2810	395	For each ac	ditional inve		
1203 300	2203 150		lependent cla	•	1801	790	2801	395		37CFR 1.129 Continued E	(b)) xamination (RCE)	
120F 10	2205 2	over origina	•	(20	1802	900	1802	900	Request for	expedited ex		
1205 18	2205 9	** Reissue cla and over or	ims in excessi iginal patent	S UI ZU	Other f	ee (spe	cify)		of a design	application		
**or number	SUBTOTAL (2) (§) 0.00 *Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$) 180.0						180.00					
SUBMITTED	BY									(Complete	(if applicable))	
Name (Print/T	ype) Jaso	n C. Chumn	ey			ation No y/Agent)	54.	,781	_	1	(212) 527-7700)
Signature	1/	ulra Clan	.1	<u> </u>	Intomo	yrngeny				Date	November 18,	2004
Express M	lail Label N	O.	C	Dated:								
												

Docket No.: 01946/100D864-US1

(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: David Gschneidner et al.

Application No.: 09/762,067

Confirmation No.: 7883

Filed: August 3, 2001

Art Unit: 1654

For:

COMPOUNDS AND COMPOSITIONS FOR

DELIVERING ACTIVE AGENTS

Examiner: Maury Audet

INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed more than three months after the U.S. filing date, OR more than three months after the date of entry of the national stage of a PCT application, AND after the mailing date of the first Office Action on the merits, whichever occurs first, but before the mailing date of a Final Office Action or Notice of Allowance (37 CFR 1.97(c)).

A copy of each document on the PTO/SB/08 is attached.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as

{W:\01946\100d864us1\00294331.DOC | 正即源面即正面期刊到底顺識形式 }

defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

Our check in the amount of \$180.00 covering the fee set forth in 37 CFR 1.17(p) is enclosed. The Commissioner is authorized to charge any deficiency of up to \$300.00 or credit any excess in this fee to Deposit Account No. 04-0100.

By

Dated: November 18, 2004

Respectfully submitted,

Jason C. Chumney

Registration No.: \$4,781 DARBY & DARBY P.C.

P.O. Box 5257

New York, New York 10150-5257

(212) 527-7700

(212) 753-6237 (Fax)

Attorneys/Agents For Applicant

PTO/SB/08a/b (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 0557 page 1557.

	Under the Paperwork Reduction Act of \$157 page 15 are required to respond to a collection of information unless it contains a valid OMB control number.							
Substitute for form 1449A/B/PTO				Complete if Known				
				Application Number	09/762,067			
11	NFORMATION	1 DI	SCLOSURE	Filing Date	August 3, 2001			
STATEMENT BY APPLICANT			APPLICANT	First Named Inventor	David Gschneidner et al.			
(Use as many sheets as necessary)				Art Unit	1654			
				Examiner Name	Maury Audet			
Sheet	1	of	1	Attorney Docket Number	01946/100D864-US1			

U.S. PATENT DOCUMENTS							
Examiner Initials*	Cite No. Document Number Publication Date No. Name of Patentee or Pages, Column Relevant Pass: Name of Patentee or Applicant of Cited Document Pages, Column Relevant Pass: Figures Pages, Column Relevant Pass: Pages, Column Relevant Pages Pa						
	AA	US-3,489,793	07/13/1970	Bertelli, et al.	Entire document		

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No.1	Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear			
	ВА	ES 369853	07/24/1069	Laboratorios Bama	Entire document	Х		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark here if English language Translation is attached.

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
	CA	O'Shaughnessy, Catherine, et al. "Acylated Non-Alpha-Amino Acids Increase the Permeation of Recombinant Human Growth Hormone Through CACO-2 Monolayers", Abstract 1997 AAPS Annual Meeting Abstracts, November 1997.	
	СВ	O'Shaughnessy, Catherine. "Acylated Non-Alpha-Amino Acids Increase the Permeation of Recombinant Human Growth Hormone Through CACO-2 Monolayers". Poster Presentation at 1997 AAPS Annual Meeting. November 1997.	
	СС	O'Shaughnessy, Catherine, et al. "Acylated Non-Alpha-Amino Acids Increase the Permeation of Horseradish Peroxidase Through CACO-2 Monolayers", Abstract 1997 AAPS Annual Meting Abstracts. November 1998.	
	CD	Freeman, John, et al., "The Use of Parallel Synthesis to Prepare Compounds For An <i>In Vivo</i> Assay". Poster Presentation at 217th American Chemical Society Meeting, March 21, 1999.	
	CE	Freeman, John, et al., "The Use of Parallel Synthesis to Prepare Compounds For An <i>In Vivo</i> Assay". Abstract. American Chemical Society, March 21, 1999.	
	CF	O'Toole, Doris, et al., "Increased Throughput in an <i>In Vivo</i> Assay by Use of Parallel Synthesis Array. Abstract 1998 AAPS Annual Meeting Abstracts. November 1998.	
	CG	O'Toole, Doris, et al., "Increased Throughput in an <i>In Vivo</i> Assay by Use of Parallel Synthesis Array. Poster Presentation at 1998 AAPS Annual Meeting, Anaheim, California. November 16, 1998.	
	СН	Leone-Bay, Andrea, et al. "Oral Delivery of Biologically Active Parathyroid Hormone. Pharmaceutical Research. Vol. 18(7):964-970. 2001.	

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

C		
{W:\019	Date	-
46)1004	Considered	
460111041	Considered	

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.